

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: October 6, 2005

Signature: 

(Roger A. Heppermann)

**10/537181**Docket No.: 30408/J50005  
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Werner Mäntele et al.

Application No.: 10/537,181

Filed: June 1, 2005

For: Spectrometer, in Particular a Reflection  
Spectrometer

Confirmation No.: 8472

Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER  
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office mailed September 26, 2005, Applicant respectfully submits a Combined Declaration and Power of Attorney and Part 2 Copy of Notice.

Our check in the amount of \$130.00 covering the fee set forth in 37 CFR 1.16(f) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 30408/J50005. A duplicate copy of this paper is enclosed.

Dated: October 6, 2005

10/17/2005 GFREY1 00000135 10537181

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Respectfully submitted,

By 

Roger A. Heppermann

Registration No.: 37,641

MARSHALL, GERSTEIN &amp; BORUN LLP

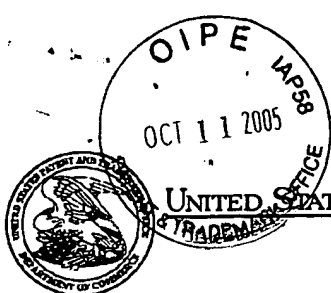
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UNITED STATES PATENT AND TRADEMARK OFFICE

 UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

PCT\$

|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/537,181                  | Werner Maentele       | 30408/J50005     |

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RECEIVED

OCT 03 2005

MARSHALL GERSTEIN

|                               |               |
|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. |               |
| PCT/DE03/03950                |               |
| I.A. FILING DATE              | PRIORITY DATE |
| 12/01/2003                    | 12/02/2002    |

 CONFIRMATION NO. 8472  
 371 FORMALITIES LETTER  
 \*OC000000017100507\*  
 \*OC000000017100507\*

Docketed: 11/26/05

Date Mailed: 09/26/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/01/2005
- English Translation of the IA filed on 06/01/2005
- Copy of the International Search Report filed on 06/01/2005
- Copy of IPE Report filed on 06/01/2005
- Preliminary Amendments filed on 06/01/2005
- Information Disclosure Statements filed on 06/01/2005
- Request for Immediate Examination filed on 06/01/2005
- U.S. Basic National Fees filed on 06/01/2005
- Priority Documents filed on 06/01/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- \$130 Sùrcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/537,181                  | PCT/DE03/03950                | 30408/J50005     |

FORM PCT/DO/EO/905 (371 Formalities Notice)